

**Karner Blue HCP
Implementation Oversight Committee (IOC) Meeting
January 17, 2006
9:00 a.m. -2:30 p.m.
American Transmission Company - Madison**

Present: Bob Hess, Matt Krumenauer, Dave Lentz, Crystal Fankhauser, Ursula Peterson, Gary Birch, Jody Gindt, Jim Heap, Steve Richter

Absent: There was no one present representing the forest industry group.

Note: A quorum was present

MINUTES

1. Anti-Trust Statement

Dave opened the meeting by reminding attendees of our anti-trust agreement by reading the Anti-Trust Statement.

2. Approval of IOC meeting minutes from 11-9-05

There were no comments or corrections. A motion was made by Gary Birch to approve the minutes of 11-9-05. The motion was seconded by Matt Krumenauer. All were in favor.

3. Review action items from last meeting

- Update on IOC representatives and/or alternates
 - Forest Industry (alternate) – Joel Aanensen
Dave said that Joel has not found an alternate yet, but would continue to act as the alternate in the meantime.
Action: Dave will contact Joel to find out if he has found an alternate.
 - County Forest (alternate) – Jody Gindt
Jody reported that Jake Nichols (Burnett County) would be willing to be an alternate but would like to have the meeting location held in a more centralized location like Point, Rapids, Black River Falls.
 - DATCP (waiting to learn of Lori Bowman's replacement?) – Ursula Petersen
Ursula will continue as the primary IOC representative. The alternate will be her new supervisor Pat Kandziora. Lori would like to be copied on anything related to the HCP, especially as it relates to the ITP renewal issue.
Action: Crystal and Dave to put Lori on the IOC keep informed list.
- Wetland Mapping Program – how this tool might apply to HCP land/habitat data – follow up by Crystal F.

Crystal spoke to the Mapping Specialist. Crystal has not gotten into much detail. As we get more into the development of the ITP renewal proposal, we may better understand if and how wetland mapping tool may apply. For the meantime, it isn't necessary to explore the wetland mapping tool.

Gary cautioned that it will take a considerable amount of resources to generate and administer a similar mapping program for the HCP. Where would the funding come from to operate this system? Ursula commented that the wetland database could also be used to help determine where not to look for KBB sites. This could be useful to share with Ted Sickley.

Action: Crystal to suggest to Ted that the Wetland Mapping tool may have a more current or detailed layer for his lupine probability model.

4. Incidental Take Permit Renewal Proposal: Discussion & Planning

Decision Item: Does IOC agree with the DNR's 10-year renewal proposal with an emphasis on recovery? And should the partners and the DNR move forward to develop this proposal?

A 30-50 year renewal suggested by the FWS and discussed at the previous IOC meetings is not feasible for the DNR. There are a number of reasons this is not acceptable to the DNR. Among them is that the amount of staff commitment and money required to administer the program in general is unacceptable, and even more unacceptable for an additional 50 years; the DNR is convinced that the KBB is not in danger of extinction in Wisconsin; and this large investment specifically for KBB represents a serious loss of conservation opportunities for other species and conservation efforts in greater need.

DNR is proposing an alternative to 50 years of the same approach while waiting passively for range wide recovery. All affected DNR Divisions sponsor a renewal for a maximum of 10 years. This proposal is outlined in the issue brief Dave sent to all partners and the FWS. If renewed, the term would be for no more than 10 years and will focus on demonstrating that the KBB in WI is not in need of any additional recovering.

Discussion on the proposal

There was some discussion on the focus area for recovery. Would the focus shift to recovery properties, SPAs, ACEs or some other designation? This will depend on what the type of recovery area is that DNR and FWS agree will reflect the approach to recovery in this plan. It could be SPAs or ACEs or Recovery Units or some strategic combination of these. ACEs would be the largest area, but we need to know which the most biologically important area is.

Steve commented that TNC in NY thought that the concept of distinct population segments for KBB was a concerning issue because it may have implications on other species and it is something that should be understood nationally.

There was some speculation and discussion of how things would be different for partners under the new proposal. Dave said that the specifics are not all worked out. It will be important for the partners to help decide the details, just like when we wrote the HCP. Steve said he envisioned that partners should stop doing all the monitoring for KBB's outside of recovery areas, but would still keep track of the KBB populations on their property and then report current populations in their annual report on a map. Dave agreed and offered that measuring take may be less important than assuring that partners continue to do beneficial disturbance management.

There was general agreement that this approach has merit, but may seem somewhat radical to some, much like the voluntary partner category when first proposed. It is obvious to the people attending meetings but may be difficult for others to understand.

Dave said that the voluntary strategy was a stretch for the Service; partners had to provide justification and DNR did the risk analysis. We will need to do the same for this.

Ursula thought this made sense and asked why we can't do this starting now?

The Service and the public will want assurance that the recovery equation in the plan sufficiently justifies relaxing controls in non-recovery areas. This will take some time to develop.

There was some discussion about the Wisconsin KBB is a different sub-species. Ursula asked is our KBB a subspecies, are we really approaching this in a scientific manner? Why not pursue the subspecies approach?

Dave said it would be very costly, since the issue can't be resolved by just by the genetic differences, but needs to be determined taxonomically. Geneticists and taxonomists are different. There would have to be sufficient motivation for someone to fund this work.

Regarding monitoring, Ursula asked if we would need to do all the monitoring.

Dave envisioned an increased focus in monitoring on recovery properties and possibly other areas of greatest potential for recovery, or areas of biologically strategic importance to recovery, like dispersal corridors and very large sustainable populations in or near recovery areas.

Steve commented that this puts a lot of burden on the DNR.

Dave said that working with the Service on recovery of listed species is what DNR does.

Some partners already see that recovery is the bottom line to removing unnecessary regulatory compliance; some have offered their support, and even funding. Dave sees the emerging role for the regulated community is to support recovery; firstly because regulators don't do conservation, landowners and land managers do, and secondly, because regulators can't afford to do it alone.

Decision Item: Does the IOC agree that we should pursue the 10-year + Recovery alternative?

Decision: All IOC members in attendance were in favor of this renewal alternative and continuing to develop the concept.

How should we develop this plan?

Dave doesn't envision all the HCP partners attending monthly meetings like when we wrote the plan. Steve suggested that we have break out sessions at the HCP Team meeting in March with each entity group represented in the IOC/HCP so that they/we can begin to understand how things might change under this new proposal.

Ursula would like to see a list prepared to compare what would stay the same versus what would be dropped or different. Gary said that this is something that will have to be developed as this process evolves. There isn't a list we can draft for the upcoming Winter Meeting. Whatever the final proposal looks like, it needs to be satisfactory not only to the FWS but also needs to understand and remove any fears and concerns of others outside the process that might not buy into the project or see it as a threat.

Action: The IOC to engage our original “participants” as well as others in helping to develop this proposal.

Action: IOC to develop guidance and direction for the Communication Committee to assure wide information coverage and input from as many potentially interested parties as appropriate.

Develop approach to further develop this renewal proposal

There was some discussion about what the partners’ role would be in developing this proposal. As a next step, the partners can begin to help guide our work at winter HCP Team meeting. Partners will want to know where their land fits into the recovery areas. It will help visualize the idea of focusing on recovery areas if we have maps by the winter meeting.

Action Item: Crystal develop/copy maps for recovery properties, SPA, ACE

There was some discussion about what the Service would accept as credible evidence that KBB’s meet recovery goals in WI? The DNR (and particularly BER) and the Service do not fully agree on this. Before we can establish recovery criteria other than the populations goals set in the federal recovery plan or any other detailed changes we need to come to a common understanding of:

- 1) The general approach in the plan
- 2) The goals, objectives and tenants of the plan
- 3) Where we focus efforts for recovery and where we de-emphasize/scale-down efforts (what is the geographical area that best achieves agreed upon recovery objectives and where these focal areas are located)
- 4) What is meant by de-emphasize/scale-down efforts, i.e. where we will de-emphasize and scale back which activities
- 5) What is meant by “streamlining processes”
i.e. this does not mean adding detailed steps as yardsticks for compliance, but rather to improve, reduce or eliminate steps that do not add value in achieving the objectives of this plan and the requirements of the law.
- 6) How to improve guidelines and protocols:
i.e. this does not mean, in all cases, adding highly detailed prescriptions; one size does not fit all; need to give managers the latitude to assess habitat conditions and tailor a management prescription to meet KBB and other management objectives for the existing circumstances and desired results within the constraints of time and available resources.

DNR’s recovery equation

DNR needs to work on putting their recovery position into words in a way that the Service can process and then factor into ESA conventions for recovery and listing status decisions. The DNR’s and partners’ comments on the draft recovery plan didn’t get the anticipated and hoped for response from the Service in 2002.

January 26 discussion/listening session (tentative)

When Dave sent the issue brief he offered an extra session where partners could ask questions, get clarification on this proposal, and therefore be better prepared to work on developing the proposal at the March 8th HCP Team meeting. How many partners showed an interest in this extra session?

Dave: Only two. Rather than hold a meeting, Dave will talk to these two partners.

Action: Dave will call the two partners and talk to them individually.

5. Develop agenda for HCP Team March 7-8, 2006 meeting

March 7 - IOC will meet the afternoon of March 7th to prepare to lead the whole partner meeting on March 8th. Since IOC meetings are open to all, meeting notice should remind people of this.

March 8 – All partners meet.

Distribute Issue Brief and the 5-point plan for Statewide HCP to in advance with instructions to review and be prepared to participate in the meeting on the 8th. Attach with IB examples of issues (to be addressed) from each of the five points of the proposed statewide recovery plan.

First thing, give overview of the plan and entertain questions and general comments. Objective is to assure partners understand the proposed approach. Find out if everyone agrees with the approach; if not, why not. People will want to know what will be different. Tell them they will be inputting to this later in the morning and afternoon. Develop breakout groups and develop a charge for each group to work on describing potential changes to HCP implementation and ITP regulatory activities in line with the general goals, objectives and tenants of the 10-year + Recovery so that small groups have defined goals to work on during break out sessions.

Steve suggested we break up into entity groups to discuss issues versus breaking up into topic groups to discuss specific goals. At least 3 people from FWS will be attending, so they would be able to divide themselves up among the sessions.

Dave said he would not be able to be in each group so other IOC members might have to take lead and facilitator roles in some of the breakouts.

Different ways to divide up could be by:

- entity groups, i.e. utility managers, forest industry, county forests
- strategy, i.e. SM vs. POH
- by topic, issue or activity, i.e. monitoring and management, focus areas vs. areas of de-emphasis, recovery, administration, etc.
- ad hoc or standing working groups, i.e. a GIS/mapping group (potential), Monitoring Improvement Team (existing), Communication Committee (existing, currently idle)

An individual can be in more than one working group and can be interested in more than one topic/issue. Since one person can't be in more than one place at a time, these two groupings may not be the best choices. Entity groups and strategy groups may work better. Matt and Dave will decide on recommendations after developing alternative actions and will bring this up for discussion at the IOC meeting March 7th.

Action Item: Monitoring Improvement Team needs to meet prior to the Winter Meeting, see if Ted Sickley can attend the MIT meeting.

Action Item: Dave and Matt to spend more time on 5-point Plan to:

- Develop examples of how different processes and activities would change
- Structure the activities in a logical and manageable way
- Describe process steps to develop the proposal including how to involve all partners in the process
- Suggest specifics on how partner working groups can be structured for the March 8th meeting and beyond, i.e. breakouts by entity groups, by SM & POH, or by topic areas.

Key Note: Group assignments and discussions should be started before lunch so people can begin to discuss over lunch; also because people often are tired after lunch and may begin to leave.

6. Receipt and management of HCP fees, gifts and other funds.
 - Update on Natural Resource Foundation (NRF) KBB Fund and IOC oversight role.
Dave reported that the DNR has developed an escrow agreement with the NRF named the Karner Blue Butterfly Conservation Fund. The purpose of the fund is to allow for a central location from which receive and dispense partnership related funds, i.e. new partner entry fees, gifts and other funds. Currently, the DNR does not have legislative authority to do this directly because of potential ethics issues. This NRF escrow account arrangement allows DNR to facilitate receipt and dispersal of these funds on behalf of the partnership and with partner oversight through the IOC. The agreement was developed by the NRF, Jimmy Christenson, Matt Krumenauer and Dave Lentz. It has various other approvals throughout DNR.
7. Land Transfer reporting by partners: Discuss possible changes to procedure
Did not have time to cover this agenda item.
8. Inclusion updates
 - Oakdale Electric CI Request
This SHCA is final and a request to issue a CI has been sent to the FWS.
 - Plum Creek CI Request
The previous SHCA was reviewed by the Service. All Service comments and suggestions were incorporated in this draft of the SHCA. However, the Service has reviewed what was believed to be the final draft, and has asked for more changes and additions (4 pages of comments). This is getting very frustrating. Dave feels this round of comments is petty and reflects a lack of trust. Plum Creek reported to Dave that they appreciate the efforts by DNR to facilitate developing this SHCA, and that they are working on accommodating the Service's request.
 - Adams-Columbia Electric Cooperative – IOC approval needed.
Dave asked if anyone new of any reason that ACEC should not be considered for partnership in the HCP. There were no negative comments. Matt K. said that he has provided KBB training to ACEC's field staff in the past.
Decision: Gary made a motion that Adams-Columbia Electric Coop be included into partnership; motion was seconded by Ursula Peterson. All were in favor.
 - We Energies – developing an umbrella agreement.
9. Need to update Partners & Participants List; HCP involvement roles and contact information; and changing types of roles
10. Closing
ACTION: Joe to reserve Schmeckle Reserve in Stevens Point now or other central location for next regularly scheduled IOC meeting after March 7.